

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Jamie David Spain

Case Number: 2:13CR00153-001

Address of Offender:

Name of Supervising Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Court Judge

Date of Original Sentence: May 30, 2012

Original Offense: Theft of Government Property, 18 U.S.C. § 641; Theft of Personal Property, 18 U.S.C. § 661; Malicious Mischief, 18 U.S.C. § 1363

Original Sentence: Prison 24 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: U.S. Attorney's Office

Date Supervision Commenced: June 26, 2013

Defense Attorney: Federal Defender's Office

Date Supervision Expires: June 25, 2016

PETITIONING THE COURT**To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/07/2014.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

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Special Condition # 18: You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.**Supporting Evidence:** On January 14, 2014, the undersigned officer contacted Mr. Spain by phone to address his positive drug test submitted on January 13, 2014. During that conversation, Mr. Spain advised the undersigned officer that he was not willing to participate in treatment, as ordered by the Court, and recommended by the treatment provider. Mr. Spain understands that refusal of treatment is grounds for revocation of supervised release.

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Special Condition # 19: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

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Supporting Evidence: A petition for summons for offender under supervision was submitted on January 7, 2014, detailing several violations. At the time of the report, lab results had not yet been received from a urine sample Mr. Spain provided at the U.S. Probation Office on December 31, 2013, after he failed to report for a random drug test on December 30, 2013. Lab results have now been received, and the report shows the sample was positive for marijuana metabolites.

On January 13, 2014, Mr. Spain provided a urine sample for testing and the sample was positive for THC. At that time, Mr. Spain admitted to consuming marijuana, and signed a drug use admission form indicating this use.

Mr. Spain again drug tested on January 22, 2014, and the sample tested positive for THC. Mr. Spain reported that he believed this positive test was due to his last drug use on or about January 10, 2014.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 28, 2014

s/Cassie Lerch

Cassie Lerch
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☐ The Issuance of a Summons
☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
☐ Other

s/ Fred Van Sickle

Signature of Judicial Officer

1/28/14

Date